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and that they stood as due on the books of the company. The prescription of thirteen years was pleaded. *Held*, that dividends on stock are payable only on demand, and that until demand and refusal prescription does not run against the person entitled. *Armant v. New Orleans & C. R. Co.*, 7 So. Rep. 35 (La.).

TORT — TRESPASS BY CATTLE. — The plaintiffs were owners of certain unenclosed tracts scattered through the public lands in Utah. They sought an injunction to restrain the defendants from pasturing their cattle on this domain. *Held*, that a decree could not be granted, even though the cattle were sure to trespass on plaintiffs' land. The common-law rule that every one must restrain his stock on his own land is not applicable to the sparsely settled portions of the West. *Buford v. Hantz*, 10 Sup. Ct. Rep. 305.

This decision is in accord with the decisions of several of the Western States. It would seem that the case might have been put on the short ground that the Utah statute made it the duty of the plaintiffs to fence; but Miller, J., in giving the opinion of the court, says the English rule has no application whatever. For an interesting discussion of the origin of the common-law liability, see Holmes, Com. Law, 10.

WILLS — CONSTRUCTION. — The testator left a legacy and a power of appointment to his "executors herein named." A. renounced probate. *Held*, that he was entitled to the legacy and the power. *In re Mainwaring*, 62 L. T. Rep. N. S. 63 (Eng.).

REVIEW.

PRINCIPLES OF THE LAW OF CONTRACT. By Reuben M. Benjamin. Bloomington, Ill. 1889. 12mo. Pages xi and 168.

This outline treatise on the law of contract is confessedly an attempt to hasten codification. While one may perhaps be permitted to ask *cui bono?* with reference to this object, yet it must be admitted that Mr. Benjamin has stated admirably, and in very concise form, the essential principles of this branch of the law.

The book follows very closely the division of the subject adopted in Anson on Contracts. After showing, by a series of narrowings, the position which contracts occupy in the law, it discusses the Formation, Interpretation, and Discharge of Contracts, confirming each step by well-selected references from a few leading jurisdictions. No attempt is made to discuss controverted points, or even to notice them as such, — an unfortunate feature in a book which does not profess to be of a wholly local character, but excusable, perhaps, considering the codification bias of the author. The same is true of the preponderance of Illinois citations and extracts from Illinois statutes.

While such a book, of necessity, cannot be of very great value to the practising lawyer, it is admirably adapted to the use of students, especially in the rapid reviews to which they are so peculiarly liable. As a supplement to the somewhat disconnected system of teaching by cases, such a book, for purposes of coördination, is very useful.

W. B.